



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Robert Stephen COOKE et al.

Serial No.: 10/049,800 (Conf. no. 6216)

International Filing Date: August 14, 2000

For: PORTAL IMAGING DEVICE

Attorney Docket No.: FHW-100US

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

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Commissioner for Patents
Washington, D.C. 20231

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February 14, 2003

Date of Signature and of Mail Deposit

By:

David R. Burns
David R. Burns
Reg. No. 46,590

Petition For Withdrawal of Holding of Abandonment of a Patent Application
Under 37 CFR 1.181

Dear Sir:

Pursuant to 37 CFR §1.181 the undersigned hereby petitions to withdraw the holding of abandonment issued in connection with the above-identified patent application.

On **January 16, 2003**, Applicant's Attorney received by mail the Notice of Abandonment which had been date stamped **January 13, 2003** by the Patent and Trademark Office and which indicated that the application had been abandoned.

It is respectfully submitted that Applicant on **November 19, 2002**, timely and properly filed a response to the Notification to File Missing Requirements mailed **April 19, 2002**.

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Re: U.S.S.N. 10/049,800

Accordingly, Applicant respectfully petitions the Commissioner to withdraw the holding of abandonment in the application. Applicants' responsive filing on **November 19, 2002**, using the Express Mail Procedure under 37 CFR 1.10, extended the response period for the Notification of Missing Requirements to **November 19, 2002**, by the concurrent filing therewith of a petition entitled Request for Five-Month Extension of Time to extend the response period and fee for extension of time under the provisions of 37 CFR 1.136(a).

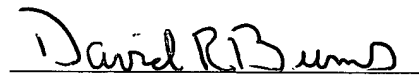
The present Petition includes the following facts and documentation in support of the timely and properly filed Response to Notification of Missing Requirements: evidence of receipt of the required reply and fee by the Patent and Trademark Office, namely, a copy of the Response to Notification of Missing Requirements, a copy of the Transmittal letter filed with the Response to Notification of Missing Requirements, a copy of a Request for Five-Month Extension of Time, a copy of the Return Mailroom Postcard and a copy of the Express Mail Label used to file the above documents in the Patent and Trademark Office on **November 19, 2002**.

Accordingly, Applicants contend that their responsive filing on **November 19, 2002**, was timely filed and received by the Patent and Trademark Office, but was not correlated with the application and the application has been erroneously held abandoned. Hence, Applicants' respectfully request that the present application be reinstated, and passed to examination.

If there are any questions concerning the petition to Withdraw the Holding of Abandonment, the Examiner is invited to telephone Applicant's representative at the telephone number listed below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



David R. Burns

Registration No. 46,590

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Date: **February 14, 2003**